

**STATE BOARD OF FUNERAL AND CEMETERY SERVICE BOARD MEETING  
THURSDAY FEBRUARY 2, 2017  
INDIANA GOVERNMENT CENTER SOUTH, ROOM W064  
402 W WASHINGTON STREET  
INDIANAPOLIS, IN 46204**

**CALL TO ORDER**

The meeting was called to order at 11:00 a.m. by Thomas Sproles, pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting.

**BOARD MEMBERS PRESENT:** Thomas Sproles, Chairman  
Christopher Cooke, Vice Chairman  
Donald Alford  
Frank Downing  
Theodore Mau  
Roland Cutter  
Tasha Smith, State Department of Health

**BOARD MEMBERS ABSENT:** Robert Loose

**STATE OFFICIALS PRESENT:** Tracy Hicks, Board Director  
Jennifer Broadbent, Assistant Board Director  
Donald Hannah, Deputy Attorney General

**ADOPTION OF THE AGENDA**

The agenda was adopted.

Cooke/Alford  
7/0/0  
Motion carried.

**ADOPTION OF THE MINUTES OF THE DECEMBER 1, 2016, MEETING OF THE BOARD**

A motion was made and seconded to approve the minutes of the December 1, 2016 meeting.

Mau/Cutter  
7/0/0  
Motion carried.

**CONSIDERATION OF VOLUNTARY SUMMARY SUSPENSION EXTENSION AGREEMENT**

1. Thomas A. Oswalt, FD21000044, 2016SBFCS0025

A motion was made and seconded to extend summary suspension for another 90 day period.

Downing/Cutter  
5/0/0  
Motion carried.

**ADMINISTRATIVE HEARINGS**

1. Administrative Hearing in the matter of Kristen Jon Denney, FD20300009, SBFCS 15-03

A motion was made and seconded to remove probation and return the license to active status.

Cutter/Alford

5/0/0  
Motion carried.

2. Administrative Hearing in the matter of Keith Mefford, SBFCS 16-06

A motion was made and seconded to continue the matter.

Cooke/Mau  
4/0/0  
Motion carried.

3. Administrative Hearing in the matter of Grandview Memorial Gardens, CM40100006. SBFCS 16-05

A motion was made and seconded to continue the matter.

Cooke/Mau  
4/0/0  
Motion carried.

4. Administrative Hearing in the matter of Ridgelawn-Mount Mercy Cemetery, CM40000002, SBFCS 16-23

A motion was made and seconded to place Respondent's licenses shall be placed on indefinite probation. While Respondent is on probation, a representative of Respondent shall appear before the Board every six months to give an update on the status of Respondent's compliance with the requirements of the final order. By the Board's April 6, 2017 meeting, Respondent shall submit a copy of its updated preneed contract to the Board for review. Within six (6) months of the final order, Respondent shall pay a fine in the amount of one thousand dollars (\$1,000.00). Prior to petitioning for withdrawal of probation, Respondent shall cause a certified public accountant ("C.P.A.") to complete an accounting of Respondent's preneed accounts to ensure that no funds are missing. Respondent shall cause the C.P.A. to submit a report of the audit to the Board. Prior to petitioning for withdrawal of probation, Respondent shall provide the Board a simple accounting of its perpetual care fund. Prior to petitioning for withdrawal of probation, Respondent shall provide six (6) hours of continuing education to all staff. The Preneed Act shall be covered by the continuing education provided by Respondent. Proof of completion of the continuing education shall be submitted to the Board.

Mau/Cooke  
4/0/0  
Motion carried.

5. Administrative Hearing in the matter of Gregory Wade Thayer, FD08600369, SBFCS 15-43

A motion was made and seconded to revoke the license.

Downing/Cutter  
5/0/0  
Motion carried.

#### **OFFICE OF THE ATTORNEY GENERAL CONSUMER PROTECTION DIVISION REPORT**

Written report was provided. Jennifer Williams and her staff will replace Tim Webber for the Funeral and Cemetery Matters. Mr. Webber will complete his pending cases. Mr. Webber had kept the funeral and cemetery board because he understood the complicated statutes and rules however the Office of the Attorney General has reorganized and the State Board of Funeral and Cemetery Service will now be included with the other non-medical professions team.

#### **Personal Appearance and Consideration of Application for Funeral Director by Reciprocity**

1. Stacey Lynn Vallarta

A motion was made and seconded to approve the application upon passing the Indiana law examination.

Alford/Downing  
5/0/0  
Motion carried.

**PERSONAL APPEARANCE AND CONSIDERATION OF FUNERAL DIRECTOR INTERN/FUNERAL DIRECTOR APPLICATION**

1. James Holt, FD01006382

A motion was made and seconded to table the matter until the next meeting.

Downing/Alford  
4/0/0  
Motion carried.

2. Heather Bressert, FD21500011

A motion was made and seconded to renew the license on indefinite probation with no right to petition for removal of probation until released from criminal probation.

Downing/Alford  
4/0/0  
Motion carried.

3. Nickolas Hentgen, FD21300006

A motion was made and seconded to renew the license on indefinite probation with no right to petition for removal of probation until released from criminal probation.

Alford/Downing  
4/0/0  
Motion carried.

4. Mark E. Metz, FD29500089

A motion was made and seconded to renew the license on indefinite probation with no right to petition for removal of probation until completion of the criminal matter.

Downing/Alford  
4/0/0  
Motion carried.

5. Dale Tranbarger, FD29800108

A motion was made and seconded to deny the application for renewal for failure to appear.

Alford/Downing  
4/0/0  
Motion carried.

6. Mark Walter, FD01013010

A motion was made and seconded to renew the license on indefinite probation with no right to petition for removal of probation until released from criminal probation.

Alford/Downing  
4/0/0  
Motion carried.

7. Mark J. Wood, FD29300135

A motion was made and seconded to deny the application for renewal for failure to appear.

Downing/Alford  
4/0/0  
Motion carried.

**CONSIDERATION OF APPLICATION FOR FUNERAL DIRECTOR COURTESY CARD**

1. Anthony Oxendine

A motion was made and seconded to deny the application pursuant to IC 25-15-10-8(2) due to the fact that he owns an Indiana funeral home.

Downing/Alford  
4/0/0  
Motion carried.

**REASSIGNMENT OF THE CLARK O'NEAL FUNERAL HOME PRENEED CONTRACTS**

A motion was made and seconded to divide the contracts among the active funeral homes with certificates of authority in South Bend. D. Alford recused himself. The following members, T. Sproles, F. Downing, T. Smith, T. Mau, and C. Cooke continued to participate in the matter.

Downing/Smith  
5/0/0  
Motion carried.

**REASSIGNMENT OF THE CLARK O'NEAL FUNERAL HOME PRENEED CONTRACTS**

A motion was made and seconded to reassign equally with those that have already contacted Alford Mortuary to be included in his files.

Downing/Smith  
5/0/0  
Motion carried.

**VERIFIED COMPLAINT REQUESTING RESTITUTION FROM THE PRENEED CONSUMER PROTECTION FUND**

**A. Sheryl Negash for Frances A. Carter**

Re: Clark O'Neal Funeral Home, FH10400018 (Closed)

A motion was made and seconded to approve the request.

Mau/Cooke  
5/0/0  
Motion carried.

**B. Alison Orozco for Sara Young**

Re: Clark O'Neal Funeral Home, FH10400018 (Closed)

A motion was made and seconded to approve the request.

Mau/Cooke  
5/0/0  
Motion carried.

**REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES**

**A. Review of Continuing Education Courses and Sponsors.**

A motion was made and seconded to accept the report below.

Downing/Alford  
4/0/0  
Motion carried.

### **COURSES FOR APPROVAL – No Indiana Law Courses**

#### **C J Boots Casket Company, NEW**

- Plant Tour, Mfg, Merchandising, Ongoing, 1 CEU

#### **The Dodge Institute for Advanced Mortuary Studies, CE10800694**

- The Dodge Technical Seminar – 2017 – Las Vegas, 11/9-10/2017, 9 CEUs
- The Dodge Technical Seminar – 2017 – Atlantic City, 5/11-12/2017, 9 CEUs

#### **Indiana State Coroners Training Board, CE21200008**

- 40-hour Medicolegal Death Invest. Course, 2/3-5/2017 & 2/17-19/2017, 40 CEUs

#### **International Order of the Golden Rule, CE10800865**

- 3 Simple Strategies to Make the Financial Process Smoother for Families & Increase Your Bottom Line, 1/26/2017, 1 CEU (distance learning)
- Shatter Expectations: Takeaways for the New Generation of Funeral Professionals, 2/19-21/2017, 8 CEUs
- Can the Best Embalmers Still Learn Something?, 2/16/2017, 1 CEU (distance learning)
- Opioid Epidemic: How Funeral Directors Can Respond, 3/9/2017, 1 CEU (distance learning)
- Children as Forgotten Mourners: How Funeral Service Professionals Can Incorporate Them, 4/6/2017, 1 CEU (distance learning)

#### **Matthews International, Environmental Solutions, CE10800772 (Non-IN law courses)**

- Crematory Operator Certification, Ongoing in 2017, 7 CEUs
- Advanced Crematory Operations, Ongoing in 2017, 7 CEUs

#### **MKJ Marketing, CE10800860**

- Unlocking the Insights, 2/27-3/1/2017 & 3/20-22/2017, 13 CEUs

#### **Ohio Cemetery Association, CE21400013**

- Advanced Crematory Operations, 3/24/17, 7 CEUs
- Crematory Operators Certification, 3/23/17, 7 CEUs

#### **Selected Independent Funeral Homes, CE10800819**

- Seven Proven Strategies, 4/27/2017, 1 CEU
- Inbound Marketing., 4/27/2017, 1 CEU
- Creating a Championship Mindset, 4/27/2017, 2 CEUs

**What Makes a Great Life?, 4/27/2017, 2 CEUs – DENIED, does not meet 832 IAC 4-1-2.**

### **ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 2:21p.m.